

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KALEM L. BARBER,

Defendant.

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8:21CR301

ORDER

This matter is before the court on defendant's Unopposed Motion to Continue Trial [37]. The court held a telephone conference with counsel for the defendant and the government on November 21, 2022. On the basis of the statements set forth in the motion, and during the telephone conference with counsel, the undersigned magistrate judge finds good cause for the requested continuance. Accordingly,

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [37] is granted, as follows:

1. The jury trial, now set for December 13, 2022, is continued to **February 21, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 21, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without counsel for the parties requesting a hearing before the undersigned magistrate judge.**

**DATED: November 29, 2022**

**BY THE COURT:**

**s/ Michael D. Nelson**  
**United States Magistrate Judge**